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### ANOMALIES OF MILITARY LAW.

The citizen when he becomes a soldier loses some of his most valuable rights, among them the right to trial by jury, with no jurisdiction in a reviewing court to increase the sentence which a jury may impose upon him—as Private Charles Fields discovered after a court martial some three years ago dismissed him with a trifling penalty for having killed a Filipino, says the Commercial Tribune. The case is again brought to public attention by the fact that President Roosevelt has pardoned him from serving out a sentence of 50 years in Bilbid prison.

On the trial of Fields the facts appear to have been in his favor, for it was shown that the Filipino, intoxicated at the time, attempted to take away his gun, when Fields drew his revolver and fired the shot that killed. But when the record was sent to General Grant, commanding the department, for his action, he severely rebuked the court, set aside its findings and sentenced Fields to a term of 50 years at hard labor. Like incidents are not novel in military and naval circles.

When a naval court martial dismissed an ensign who had slapped the face of an attache of the German consulate at Hongkong, the language that Admiral Evans used would not have graced a high-class publication. Even what he said officially in reviewing the findings was sufficiently vigorous and approached the point of sulphur, neither the ensign nor the court getting over the lashing for some time.

Court martials, in the mind of the civilian, ought to stand in the attitude of a trial court and jury trying the facts and imposing sentence or acquitting, with the right of appeal to either side to the officer commanding the department for his approval of the finding or his rejection of it, sending it back for another trial. In the rules of military procedure, however, the reviewing officer is supreme. In the case of Fields the court martial acquitted him of the charge of murder, and in civil procedure that would have been the end of the matter.

General Grant not only set aside the verdict of acquittal, but rendered a verdict of guilty and imposed a severe sentence—only short of death, though Fields says Bilbid is worse than death, mentioning it also as being worse than a place in which Bob Ingersoll did not believe. The anomaly of military law is further illustrated in the seeming fact that the only recourse left open to the commander-in-chief—the president—was to issue a pardon. Evidently he agreed with the court martial in its view of the grade of the offense of which Fields was guilty, rather than with General Grant, and he exhibited mercy and human kindness in his exercise of clemency.

### RAILROADS OF THE SEA.

Winthrop L. Marvin, secretary to the congressional merchant marine commission, in a recent interview for a New York paper, gives voice to the results that have already been achieved by the commission's partially completed investigation. Though the congressmen have yet to make a study of marine conditions of the southern seaboard states and a return visit to the New York harbor, Marvin is assured that by the labors they have already completed overwhelming evidence of the universal demand for an improved merchant marine has been obtained.

"The idea that finds expression in some newspapers," says the commission's secretary, "that the loss of our ships, our shipyards, our splendid sailors and skilled workmen is a matter of no particular concern, and that if foreigners through cheap wages or subsidies, or both combined, can drive our ships off the ocean they ought to do so, has no reflection in the sentiment of American business men, or at least of the hundreds of American business men who have appeared before the merchant marine commission."

Mr. Marvin does not say that the editorial protests originate for the most part in the great interior manufacturing towns, centers for webs of rails to carry their finished product to every part of the land. These self-satisfied, land-locked ones show a phenomenal lack of appreciation for the fact that the market for their goods is not bounded by

the reach of the railroads. They seem ready to pay yearly tolls of greater and greater exorbitance for the carrying of their goods to foreign shores in foreign bottoms. Yet imagine the storm of protests that would arise from these very manufacturers should the railroads that serve them now so well suddenly become the property of foreign corporations and demand excessive toll for the transportation of American goods in America.

Our ship lines are the railroads of the sea, says the Call. The sooner a general realization of this fact is impressed upon inland manufacturers the sooner will we have a merchant marine competent to carry all of our exports to foreign markets.

### THE BOND OF GOOD FAITH.

There is one vital point in our dealings with the strange peoples who came to us as a result of the war with Spain which no considerations can be allowed to vitiate. It is the keeping of our word with them in every detail, says the Saturday Evening Post. Unfortunately, our treatment of the Indian does not present a record in which we can take pride: "a century of dishonor" it has been called with considerable justification. But we may use our shame as a reminder that history must not be permitted to repeat itself in our relations with the millions of Filipinos and Porto Ricans.

In a recent issue of the London Times it was stated that a common incident in the official life of India was to wait patiently while an Indian reverently unfolded from well-worn rags a tattered, yellow fragment of paper which bore the signature of some British official long since dead, relating, possibly, to services in the mutiny, or, it may be, only a cynical recital of faint praise. "The Indian treasures these scraps of paper," says the Times, "and he has reason, for if they contain a promise unredeemed, or point to good service unrewarded, it will be a point of honor to the reader to fulfill the promise." In brief, the written pledge survives as a bond, and, to quote the Times again, "it would be a grievous shock to the Indian if the word of the British failed—that one sheet-anchor of the millions who in times past have had nothing sure to cling to."

We are new in the colonial business, and we are disposed to move almost as quickly as we do in our own politics. Our public men in their haste may forget the value of scrupulous good faith. Their preoccupations may be understood and allowed for at home, but it is very certain that if America is to carry on the work of higher civilization she must keep the promises of her advance agents.

### OUR NATIONAL NEGLECT.

We are told that republics are ungrateful. We must sadly confess that of America this is true, says the Tacoma Ledger. Great men have fought for us, written for us, guided us and even died for us, and we have forgotten them, or remember their names only in a sleepy way. The average American looks no further back than the civil war. He remembers the heroes of that bloody conflict. He has some consciousness of Lincoln, and there he stops.

There were great men before Agamemnon. There were great men before Lincoln and the civil war. It would be well for us to pause reverently now and again to think of the virtues of Washington. Only too often if we hear his name today it is attached to some stupid joke. But, when we forget the virtues of the man who led our fathers to victory in a seven years' war, for which he neither asked nor received compensation, we have forfeited our title to manhood.

Nor does Washington stand alone in isolated grandeur. Other heroes fought by his side. Other heroes came into action at a later day. Webster, Clay, Calhoun, Benton and many more are some of the great names we are prone to forget.

We forget our great writers. Perhaps it would be nearer the truth to say that few care for them. Yet they are our glory. If a man speaks to an Englishman of Shakespeare, to a Scotchman of Burns, to a Frenchman of Moliere, to a German of Goethe, to a Spaniard of Cervantes, to an Italian of Dante, he may strike a friendship at once. But let one of these foreigners come among us and mention the names of Emerson, Hawthorne, Thoreau or Whitman, and he may meet with a vacant stare. But a great nation, as distinguished from a big one, will never forget its great men.

James Gibson, who owns a farm in the Salt river valley, Mississippi, reports that a pear tree in his dooryard has borne three crops of pears this year. He had always noticed that it was of an early variety, and this season, along in May, a crop of pears was picked. A little later his interest was aroused by noticing the tree in full bloom again. What is still more interesting is that at the present present time the tree has another fully matured crop of pears on it, which are now ripening as well as did the first crop.

Russian authorities are still convinced that mediation is synonymous with meddling.

The political coupe loaded with boomerangs is about due.

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### Notice of Primary Election.

Notice is hereby given that a primary election for the republican party will be held in the city of Astoria, Oregon, Saturday, November 5, 1904, between the hours of 12 m. and 5 p. m. of said day, for the purpose of electing thirty-six (36) delegates to a republican city convention, hereinafter designated, which said delegates are apportioned as follows, to-wit:

First Ward—12 delegates.  
Second Ward—12 delegates.  
Third Ward—12 delegates.  
The following polling places and judges for said primary election have been selected:

First Ward—Polling place, courthouse; Judges of election, S. G. Trullinger, P. J. Goodman, J. A. Montgomery.

Second Ward—Polling place, office of C. E. Foster, 694 Commercial street; Judges of election, James W. Welch, C. E. Foster and B. A. Elgner.

Third Ward—Polling place, office of Astoria Box Company; Judges of election, Gust Holmes, Iver Anderson, W. T. Scholfield.

Furthermore, notice is hereby given that a republican city convention will be held at the court house in the city

of Astoria, Oregon, on Wednesday, November 9, 1904, at the hour of 2 p. m., for the purpose of nominating candidates for the following city offices to be elected at the city election on Wednesday, December 14, 1904:

One city attorney, for a term of two years.  
One councilman from the Second ward, for a term of three years.  
One councilman from the Third ward, for a term of three years.  
By order of the republican city central committee.  
HARRISON ALLEN, Chairman.  
CHAS. H. ABERCROMBIE, Sec.

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